THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 26479 of 2005

Dated 13.12.2005

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Between:

Mohd. Reheemuddin, S/o.Late Mohd.Azeemuddin,
R/o.Samtha Colony, Tolichowki, Hyderabad.

..... PETITIONER

AND

1 C.Rama Rao, S/o.
R/o.1-96, Lingojiguda Village, Saroornagar Mandal, RR.District.

and others.

.....RESPONDENT(S)

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 26479 of 2005

ORDER:

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The petitioner claims to be the owner of land in survey No.32 and 32/A admeasuring Ac.4.03 guntas situated at Lingojiguda village, Saroornagar Mandal, Ranga Reddy District. Having come to know that the 8th respondent incorporated the names of respondents 1 to 5 in the revenue records without giving any notice and ordered to delete the name of the petitioner in proceedings dated 19.1.1989, the petitioner filed an appeal before the 7th respondent which was dismissed on 28.11.1997. The petitioner, therefore, filed a revision petition under Section 9 of the A.P. Rights in Land and Pattadar Passbooks Act, 1971. By the impugned order dated 23.4.2005, the same was dismissed observing that the land in question was sold away by the petitioner during the years 1965 to 1967 and therefore, he cannot be said to have any right title to the property. The orders passed by the Mandal Revenue Officer and the Revenue Divisional Officer were confirmed.

The learned counsel for the petitioner Sri Suresh Shiv Sagar, contends that the property in question was allegedly sold when the petitioner was a minor and

therefore, the sale is not binding on him. When there is a valid sale deed in favour of the third parties for a valuable consideration, a minor, no doubt, has a remedy to approach the civil Court and seek a declaration that such a sale is not binding. Unless and until such a declaration is obtained, the petitioner cannot have any grievance. Therefore, it is open to the petitioner, subject to law of limitation, to approach the civil Court and obtain appropriate declaration and then seek alternation/modification of entries in the record of rights. In this writ petition, the question cannot be decided.

The writ petition, with the above observation, stands dismissed.

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(V.V.S.RAO,J)

Dt.13.12.2005

msv